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April 15, 2020

BY ECF

Hon. Valerie E. Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Re: Ricardo Dolcine v. Police Officer Richard Hanson, Police Officer Kerin Donahue, Sergeant Tomeka Ruffin, and Jane and John Doe 1 – 10,
Docket No. 17 Civ. 4835 (VEC) (JLC)

Dear Judge Caproni:

I am an Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced action. Pursuant to the Court's order dated April 13, 2020, I write this joint letter on behalf of all parties to inform the Court of the remaining causes of action at issue for Defendants' prospective summary judgment motion, provide the Court with a proposed briefing schedule for the aforementioned motion, and indicate whether the parties believe a status conference is necessary on Friday, April 17, 2020 at 10:00 am.

Plaintiff has stipulated to withdraw, with prejudice, all of Plaintiff's claims against Defendants without costs, expenses, or fees, except Plaintiff's "Second" Cause of Action for "Deprivation of Due Process" against Defendants Hanson and Donahue. *See* "Stipulation Withdrawing Certain Claims and Dismissing Certain Defendants," dated April 1, 2020, annexed hereto as Exhibit "A." Plaintiff is also dismissing all claims against Defendants Ruffin and Jane and John Does 1-10. *Id.* Accordingly, Defendants will move for summary judgment on Plaintiff's sole remaining cause of action for "Deprivation of Due Process." The parties propose the following briefing schedule:

- Defendants to file motion for summary judgment by: June 12, 2020
- Plaintiff to file opposition by: July 13, 2020
- Defendants to file reply (if any) by: July 27, 2020

With regard to the scheduled telephonic status conference scheduled for Friday, April 17, 2020 at 10:00 am, in light of the above proposed briefing schedule, the parties do not believe that a telephonic status conference is necessary.

Accordingly, the parties jointly and respectfully request that the Court so-order the attached stipulation to withdraw with prejudice all of Plaintiff's claims against Defendants without costs, expenses, or fees, except Plaintiff's "Second" Cause of Action for "Deprivation of Due Process" against Defendants Hanson and Donahue, and adopt the aforementioned briefing schedule for Defendants' anticipated motion for summary judgment.

Respectfully submitted,

/s/ J. Kevin Shaffer

J. Kevin Shaffer

Assistant Corporation Counsel

Encl.

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IT IS HEREBY ORDERED that the parties' proposed briefing schedule is adopted.

The conference scheduled for April 17, 2020, is canceled.

SO ORDERED.

 4/15/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE